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Maria Mendez de Quinonez

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

13 MARIA MENDEZ DE QUINONEZ,) Case No.: 2:17-cv-02394-RFB-PAL
14 Plaintiff,)
15 vs.) STIPULATION AND ORDER TO
16 RAMPARTS INC., d/b/a LUXOR HOTEL &) EXTEND DISCOVERY AND
17 CASINO,) DISPOSITIVE MOTION DEADLINES
Defendant.) (Third Request)

19 The parties, by and through their respective counsel of record, hereby stipulate and agree as
20 follows:

1. On December 15, 2017, this Court entered an Order granting the Stipulated Discovery
Plan and Scheduling Order submitted by the parties (ECF No. 27).

23 2. On April 9, 2018, this Court entered an Order granting the parties' joint Stipulation to
24 Extend Discovery and Dispositive Motion deadlines for a period of 30 days to allow the parties to
25 complete deposition discovery only (ECF No. 33), which the parties genuinely believed would be
26 sufficient time to complete all remaining discovery.

27 ||| 3. On May 31, 2018, this Court entered an Order granting the parties' joint Stipulation to

1 Extend Discovery and Dispositive Motion deadlines for a period of 30 days to allow the parties to
2 complete deposition discovery only (ECF No. 35) which the parties genuinely believed would be
3 sufficient time to complete all remaining discovery.

4 This third request arises from the parties sincere belief this matter can be resolved, but
5 additional time is required to do so. The parties began discussions to resolve this matter on June 5,
6 2018, which has included gathering additional information necessary to resolve this matter fully and
7 completely. The parties continue in their discussions and additional information may be necessary. If
8 this matter does not reach resolution, current outstanding depositions will need to be taken, as well as
9 concluding Plaintiff's deposition on limited topics as was agreed to by respective Counsel.

10 4. The parties stipulate and agree to extend the discovery deadline for sixty-one (61) days
11 from July 13, 2018 up to and including August 13, 2018, for the Parties to continue their efforts to
12 resolve this matter and should those efforts be unsuccessful, for purposes of allowing the parties to
13 complete deposition discovery, allow for deposition transcripts to be prepared timely, and to allow for
14 discovery to be completed prior to the filing of dispositive motions.

15 5. The parties further agree to extend the due date for dispositive motions to thirty (30)
16 days after the proposed new close of discovery.

17 **STATEMENT OF DISCOVERY THAT HAS BEEN COMPLETED**

18 The parties have been diligently pursuing discovery. To date, they have exchanged initial
19 disclosures, including relevant documents, supplemented their initial disclosures, exchanged written
20 document requests and interrogatories, and responded to the same. Depositions have been taken.

21 Plaintiff served the following disclosures:

- 22 a. Initial Disclosures on November 29, 2017;
23 b. First Supplemental Disclosures on December 19, 2017.
24 c. Second Supplemental Disclosures on March 30, 2018.
25 d. Third Supplemental Disclosures on April 30, 2018.
26 e. Fourth Supplemental Disclosures on May 14, 2018.
27 f. Fifth Supplemental Disclosures on June 8, 2018.

1 Defendant served the following disclosures:

- 2 a. Initial Disclosures on November 29, 2017;
3 b. First Supplemental Disclosures on March 8, 2018.
4 c. Second Supplemental Disclosures on March 28, 2018.
5 d. Third Supplemental Disclosures on April 17, 2018.
6 e. Fourth Supplemental Disclosures on May 4, 2018.
7 f. Fifth Supplemental Disclosures on May 14, 2018.
8 g. Sixth Supplemental Disclosures on May 21, 2018.
9 h. Seventh Supplemental Disclosures on May 24, 2018.
10 i. Eighth Supplemental Disclosures on June 13, 2018.
11 j. Ninth Supplemental Disclosures on June 19, 2018.

13 Plaintiff served the following discovery requests:

- 14 a. First Set of Interrogatories. Defendant responded on February 7, 2018.
15 b. Second Set of Interrogatories. Defendant responded on May 10, 2018.
16 c. Third Set of Interrogatories. Defendant responded on May 15, 2018.
17 d. First Set of Requests for Production of Documents. Defendant responded on
18 February 7, 2018.
19 e. Second Set of Requests for Production of Documents. Defendant responded
20 on April 19, 2018.
21 f. Third Set of Requests for Production of Documents. Defendant responded on
22 May 10, 2018.
23 g. Plaintiff took the deposition of two fact witnesses on June 5, 2018. Plaintiff has
24 at least one additional fact witness to depose in addition to witness(es) pursuant to Fed. R. Civ. P.
25 30(b)(6). An additional deposition was vacated so the Parties could discuss resolution of this matter.
26 The parties began collaborating with Defendant to set deposition(s) pursuant to Fed. R. Civ. P.
27 30(b)(6) and have engaged in initial discussion regarding 30(b)(6) topic/subjects. Those discussions
28

1 are on hold while the Parties discuss resolution of this matter before additional fees and costs are
2 expended.

3 Defendant served the following discovery requests:
4
5 a. First Set of Interrogatories. Plaintiff responded on March 30, 2018.
6 b. Second Set of Interrogatories. Plaintiff responded on April 10, 2018.
7 c. Third Set of Interrogatories. Plaintiff responded on May 11, 2018.
8 d. First Set of Request for Production of Documents. Plaintiff responded on
March 30, 2018.
9 e. Defendant took Plaintiff's deposition on June 1, 2018.
10 f. Third party subpoenas on Plaintiff's health care providers, the Culinary
11 Worker's Pension Fund, and the Social Security Administration.

12 **STATEMENT OF DISCOVERY THAT REMAINS TO BE COMPLETED**

13 For the above stated reasons, the parties request that the deadline to complete depositions be
14 extended for sixty-one days (61) days from July 13, 2018, to August 13, 2018, to fully explore and
15 engage in discussions to resolve this matter and, should those discussions be unsuccessful, to
16 complete depositions.

17 **PROPOSED SCHEDULE**

18 The parties stipulate and agree that:
19
20 1. **Discovery:** The discovery period shall be extended sixty-one days (61) days from July
13, 2018, to August 13, 2018, to allow the parties to complete deposition discovery of necessary.
21
22 2. **Dispositive Motions:** The dispositive motions deadline shall be extended thirty (30)
days from August 13, 2018 to September 12, 2018.
23
24 3. **Pre-Trial Order:** If no dispositive motions are filed, the Joint Pretrial Order shall be
filed forty-five (45) days after the date set for the filing of dispositive motions, which is October 27,
25 2018. In the event dispositive motions are filed, the date for filing the Joint Pretrial Order shall be
26 suspended until thirty (30) days after decision on the dispositive motions or by further order of the
27 Court.
28

1 This stipulation and order is sought in good faith and not for the purpose of delay.
2
3

DATED this 26th day of June, 2018.

4 KEMP & KEMP

JACKSON LEWIS P.C.

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9 *Ramparts, Inc. dba Luxor Hotel Casino*

10
11 **ORDER**

12 IT IS SO ORDERED. IT IS FURTHER ORDERED THAT NO FURTHER EXTENSIONS
13 WILL BE ALLOWED.

14 
15 United States Magistrate Judge

16 Date: July 10, 2018